

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: **DEVON McCALMONT**

Docket No.: 05-860

Name of Sentencing Judicial Officer: **HONORABLE LACY H. THORNBURG**
UNITED STATES DISTRICT JUDGE
(WESTERN DISTRICT OF NORTH CAROLINA)

Transfer of Jurisdiction: To the District of New Jersey - effective December 6, 2005

Name of Newly Assigned Judicial Officer: **HONORABLE FRED A WOLFSON**
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: July 27, 2005

Original Offense: (Count One) Possession of a Firearm by a Convicted Person,
18 U.S.C. § 922(g)(2), a Class C felony

Original Sentence: Twelve months in the custody of the Bureau Of Prisons; three years supervised release; \$100.00 special assessment. A special condition for mental health evaluation/treatment, as directed by U.S. Probation, was also imposed.

On February 18, 2008, the Court approved a Request for Modifying the Conditions or Term of Supervision with Consent of the Offender (Probation Form 12-B) and a Waiver of Hearing to Modify Conditions of Supervised Release (Probation Form 49), which imposed the condition of three months home confinement with electronic monitoring.

Type of Supervision: Supervised Release

Date Supervision Commenced: October 18, 2005

PETITIONING THE COURT

- ☐ To extend the term of supervision for _____ Years, for a total term of _____ Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall reside for a period of 1 month in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.

CAUSE

On June 27, 2008, the offender was arrested by the New Jersey State Police and charged with simple assault. The offender threw a fan at his father, Terrence McCalmont, hitting him in his back. The case is scheduled for a June 27, 2008 hearing in Deerfield Township, New Jersey, Municipal Court. The addition of the community correctional center special condition will serve as a sanction making the offender accountable for his criminal activity.

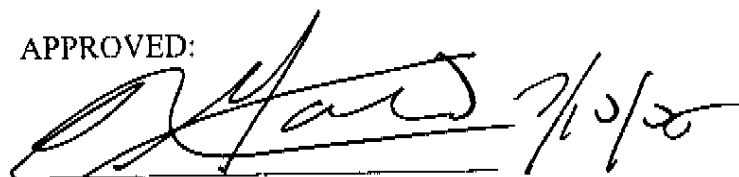
The offender has signed a Waiver to Modify Conditions of Supervised Release (Probation Form 49), consenting to the imposition of the above-indicated modification.

Respectfully submitted,



By: JOHN L. PACCIONE
U.S. Probation Officer
Date: 7/10/08

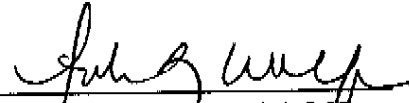
APPROVED:



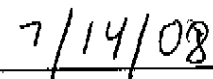
RICHARD A. GALLO Date
Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
- ☐ The Extension of Supervision as Noted Above
- ☐ No Action
- ☐ Other



Signature of Judicial Officer



Date

PROB 49
(3/89)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:


To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall reside for a period of 1 month in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.

Witness: _____


U.S. Probation Officer
John L. Paccione

Signed: _____


Probationer or Supervised Releasee
Devon McCalmont

7/16/08
DATE